

AJ0749NP  
No. R36-02535

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 11/23/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS          | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | MARY JANE HEIDA         | 12/23/1961       | IRRIGATION | 04-01 10-31           | 1.420 CFS         | 392.00 AFA          |
| C             | THOMAS HEIDA            |                  |            |                       |                   |                     |
| C             | FRANS AARDEMA           |                  |            |                       |                   |                     |
| C             | CORNELIA AARDEMA        |                  |            | TOTAL DIVERSION:      | 1.420 CFS         | 392.00 AFA          |
| C             | DBA BOX CANYON DAIRY    |                  |            |                       |                   |                     |
| D             | DBA AARDEMA HEIDA DAIRY |                  |            |                       |                   |                     |
|               | PO BOX 140              |                  |            |                       |                   |                     |
|               | WENDELL ID 833550140    |                  |            |                       |                   |                     |
|               | (208) 536-2189          |                  |            |                       |                   |                     |
| D             | MICHAEL C ROLAND        |                  |            |                       |                   |                     |
| D             | ANNALEE ROLAND          |                  |            |                       |                   |                     |
|               | 1418 E 3300 S           |                  |            |                       |                   |                     |
|               | WENDELL ID 83355        |                  |            |                       |                   |                     |
|               | (208) 536-2761          |                  |            |                       |                   |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08S R14E S15

SESWSW

GOODING County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |             |      |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac          | SUM  |
| 08S | 14E | 15 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |             | 77.0 |
| 08S | 14E | 22 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |             | 21.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES | 98.0 |

POU County: GOODING

Other Rights: NORTH SIDE CANAL CO.

Conditions of Approval:

S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
- NORTH SIDE CANAL CO. LTD.

Remarks: USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK  
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY  
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE  
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

AJ0749NP  
No. R36-02535

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 11/23/99  
PAGE: 2

=====

Comments: Date: 06/14/1995 User-ID: TFAWCETT Subject: NAME CHANGE  
6/14/95 TF CHANGE OF OWNERSHIP MADE. SF3 REC'D 6/7/95.

Date: 01/02/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE  
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE  
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A  
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT  
OWNER CHANGE.  
\*CONFORMED NAME TO AVOID DUPLICATE MAILING LABELS

Date: 01/16/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE  
NOA RECEIVED FROM MICHAEL FELTON.

Date: 02/20/1997 User-ID: TFAWCETT Subject: NAME CHANGE  
NAMES CHANGED TO MAKE ALL AARDEMA-HEIDA CLAIMS CONSISTENT.

Date: 12/13/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE  
REFORMAT UPDATE

Date: 11/23/1999 User-ID: CTIMM Subject: NAME CHANGE  
11/23/99, NAME CHANGE ONLY, BOX CANYON DAIRY AS PER CERTIFICATE  
OF ASSUMED BUSINESS NAME AND FORM 1409 REC'D 8/25/99. C.T.

Audit: 11/23/99 CTIMM

AJ0749NP  
No. 36-02535

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 11/23/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS          | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | MARY JANE HEIDA         | 12/23/1961       | IRRIGATION | 04-01 10-31           | 1.420 CFS         | 392.00 AFA          |
| C             | THOMAS HEIDA            |                  |            |                       |                   |                     |
| C             | FRANS AARDEMA           |                  |            |                       |                   |                     |
| C             | CORNELIA AARDEMA        |                  |            | TOTAL DIVERSION:      | 1.420 CFS         | 392.00 AFA          |
| C             | DBA BOX CANYON DAIRY    |                  |            |                       |                   |                     |
| D             | DBA AARDEMA HEIDA DAIRY |                  |            |                       |                   |                     |
|               | PO BOX 140              |                  |            |                       |                   |                     |
|               | WENDELL ID 833550140    |                  |            |                       |                   |                     |
|               | (208) 536-2189          |                  |            |                       |                   |                     |
| D             | MICHAEL C ROLAND        |                  |            |                       |                   |                     |
| D             | ANNALEE ROLAND          |                  |            |                       |                   |                     |
|               | 1418 E 3300 S           |                  |            |                       |                   |                     |
|               | WENDELL ID 83355        |                  |            |                       |                   |                     |
|               | (208) 536-2761          |                  |            |                       |                   |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R14E S15 SESWSW

GOODING County

Place of use Legal Description for: IRRIGATION

|     |     |     |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |             |   |      |
|-----|-----|-----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|-------------|---|------|
| T   | R   | S   | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE        | : | SUM  |
| --- | --- | --- | : | Lt   | Ac   | Lt   | Ac   | :  | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac          | : | ---  |
| 08S | 14E | 15  | : |      |      |      |      | :  |      |      |      |      | : |      |      | 39   | 38   | : |      |      |      |             | : | 77.0 |
| 08S | 14E | 22  | : |      |      |      |      | :  | 21   |      |      |      | : |      |      |      |      | : |      |      |      |             | : | 21.0 |
|     |     |     |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      | TOTAL ACRES |   | 98.0 |

POU County: GOODING

Other Rights: NORTH SIDE CANAL CO.

Conditions of Approval:

S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
- NORTH SIDE CANAL CO. LTD.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 06/14/1995 User-ID: TFAWCETT Subject: NAME CHANGE  
6/14/95 TF CHANGE OF OWNERSHIP MADE. SF3 REC'D 6/7/95.

Date: 01/02/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE

AJ0749NP  
No. 36-02535

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 11/23/99  
PAGE: 2

=====

Comments: Date: 01/02/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE  
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE  
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A  
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT  
OWNER CHANGE.  
\*CONFORMED NAME TO AVOID DUPLICATE MAILING LABELS

Date: 01/16/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE  
NOA RECEIVED FROM MICHAEL FELTON.

Date: 02/20/1997 User-ID: TFAWCETT Subject: NAME CHANGE  
NAMES CHANGED TO MAKE ALL AARDEMA-HEIDA CLAIMS CONSISTENT.

Date: 12/13/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE  
REFORMAT UPDATE

Date: 11/23/1999 User-ID: CTIMM Subject: NAME CHANGE  
11/23/99, NAME CHANGE AS PER FORM 1409 AND CERTIFICATE OF ASSUMED  
BUSINESS NAME REC'D 8/25/99. C.T.

Audit: 11/23/99 CTIMM

RECEIVED

SEP 04 1998

Department of Water Resources

1 Michael H. Felton, Jr.  
2 FELTON AND FELTON  
3 Attorneys at Law  
4 1020 Main Street  
5 P O Box 589  
6 Buhl Id 83316-0589  
7 Telephone: (208) 543-4368  
8 Facsimile: (208) 543-4360  
9 Attorneys for Plaintiff/Defendant  
10 (C:\MyFiles\abc-doc\ 2476Not.App824)Js  
11

12  
13 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
14 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS  
15

\*\*\*\*\*

16 In Re The General Adjudication, ) CASE NO. 39576  
17 of Rights to the Use of Water )  
18 From the Snake River Basin Water )  
19 System. )

20 The State of Idaho, ex rel. R. )  
21 Higginson in his official )  
22 capacity as Director of the )  
23 Idaho Department of Water )  
24 Resources, )

25 Petitioner, )

26 vs: )

NOTICE OF APPEARANCE

27 The United States, the State of Idaho; )  
28 and all Claimants to the Use of Water )  
29 From the Snake River Basin Water )  
30 System, )

31 Respondents. )

\*\*\*\*\*

32 NOTICE OF APPEARANCE

-1-

1 PLEASE BE NOTIFIED that Michael H. Felton, (Jr.), Attorney at Law, and  
2 the firm of Felton & Felton, hereby enters an appearance as attorneys of record on behalf  
3 of Frans and Cornelia Aardema and Tom and Mary Jane Heida d/b/a Box Canyon Dairy,  
4 the Respondents in the above-entitled action, as counsel of record for said Respondents  
5 with respect to Water Rights Number 36-02535, and the Clerk of the Court is hereby  
6 requested to make such entries as may be required to record such appearance. All  
7 further pleadings, notices and correspondence of any kind filed hereafter in this matter  
8 should be sent to Michael H. Felton , (Jr.) of Felton & Felton, P. O. Box 589, Buhl, Idaho  
9 83316-0589.  
10

11  
12 DATED: August 24, 1998.

13  
14 FELTON & FELTON

15  
16  
17 By   
18 MICHAEL HARLAND FELTON  
19 Attorneys for Defendant  
20  
21  
22  
23  
24  
25  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

CERTIFICATE OF SERVICE

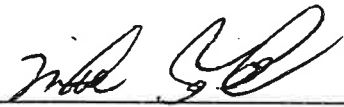
The undersigned, a resident attorney of the State of Idaho, with offices at 1020 Main Street, Post Office Box 589, Buhl, Idaho 83316-0589, and attorney for the Defendant in this action, certifies that he caused to be via facsimile and mailed on August 24, 1998, a copy of the above and foregoing

NOTICE OF APPEARANCE

to:

Director of Idaho Department of Water Resources  
P O Box 83720  
Boise, ID 83720-0098

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P O Box 2707  
Twin Falls, ID 83303-2707

  
\_\_\_\_\_  
MICHAEL H. FELTON, JR.

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

AUG 19 1998

Applicant Box Canyon Dairy  
Address P O Box 140, Wendell, ID 83355-0140  
Department of Water Resources Southern Region Phone (208) 536-2928

### PROPOSED PURPOSE OF TRANSFER

- ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☒ Other Split rights, created PPU

2. Describe the reason for the proposed changes System irrigates more land than it is licensed for, so additional water needs to be moved to the property so well can be used fully when needed.

### B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

| 1. Right Number | Priority        | Amount (cfs/ac-ft) | Nature of Use     | Period of Use              |
|-----------------|-----------------|--------------------|-------------------|----------------------------|
| <u>36-02535</u> | <u>12/23/61</u> | <u>.71/196</u>     | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| <u>36-04117</u> | <u>3/15/55</u>  | <u>0.50/100.0</u>  | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| _____           | _____           | _____              | _____             | _____ to _____             |
| _____           | _____           | _____              | _____             | _____ to _____             |

2. Total amount of water being transferred 1.21 cubic feet per second and/or 296.0 acre-feet per annum.

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|----|----|----|------|------|------|---------|--------------------------|
|     | NW | NW | SW | 25   | 8S   | 14E  | Gooding |                          |
|     |    |    |    |      |      |      |         |                          |
|     |    |    |    |      |      |      |         |                          |
|     |    |    |    |      |      |      |         |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 8S   | 14E  | 25   |      |      |      |      |      |      | 15   | 37   | 13   | 9    |      |      |      |      |      |      | 74     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres 74

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS .

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 36-02535

1997 DEC 29 PM 3:18

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

NAME & ADDRESS: CORNELIA AARDEMA  
THOMAS HEIDA  
FRANS AARDEMA  
DBA AARDEMA HEIDA DAIRY  
MARY JANE HEIDA  
PO BOX 140  
WENDELL ID 83355-0140

SOURCE: GROUNDWATER

QUANTITY: 1.42 CFS  
392.0 AFY

PRIORITY DATE: 12/23/1961

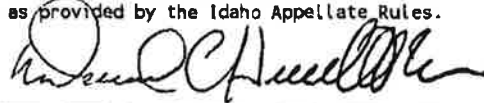
POINT OF DIVERSION: T08S R14E S15 SESWSW Within GOODING County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY              |
|----------------------------|----------------|-------------------|-----------------------|
|                            | IRRIGATION     | Irrigation Season | 1.42 CFS<br>392.0 AFY |

| PLACE OF USE: | IRRIGATION     | Within GOODING County |
|---------------|----------------|-----------------------|
|               | T08S R14E S15  | NWSW 39 SWSW 38       |
|               | S22            | NWNW 21               |
|               | 98 ACRES TOTAL |                       |

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA           )  
                              )  
Case No. 39576       )  
\_\_\_\_\_

Water Right    36-02535

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT  
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL  
DECREE AN EXPRESS STATEMENT REGARDING GENERAL  
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE:       04-01     10-31

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.\*\*\*

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

Roger Burdick  
ROGER BURDICK  
Presiding Judge  
Snake River Basin Adjudication

District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls, ID 83303-2707

## Important Information About Your Water Right

August 27, 2001

CORNELIA AARDEMA  
PO BOX 140  
WENDELL, ID 83350-0140

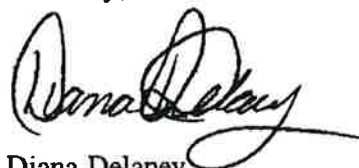
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02535. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, ID 83706  
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney  
Case Administrator

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

Water Right 36-02535

Case No. 39576 )  
\_\_\_\_\_ )

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT  
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL  
DECREE AN EXPRESS STATEMENT REGARDING GENERAL  
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 10-31

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.\*\*\*

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

Roger Burdick  
ROGER BURDICK  
Presiding Judge  
Snake River Basin Adjudication

District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls, ID 83303-2707

## Important Information About Your Water Right

August 27, 2001

DBA BOX CANYON DAIRY  
FRANS AARDEMA  
PO BOX 140  
WENDELL, ID 83355

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02535. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, ID 83706  
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney  
Case Administrator

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

Water Right 36-02535

Case No. 39576 )

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT  
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL  
DECREE AN EXPRESS STATEMENT REGARDING GENERAL  
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 10-31

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.ccc

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

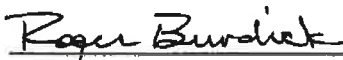
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

  
ROGER BURDICK  
Presiding Judge  
Snake River Basin Adjudication

District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls, ID 83303-2707

## Important Information About Your Water Right

August 27, 2001

MARY JANE HEIDA  
THOMAS HEIDA  
PO BOX 140  
WENDELL, ID 83355-0140

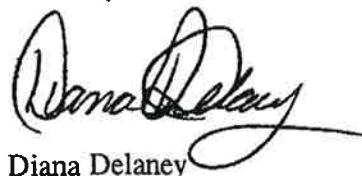
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02535. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, ID 83706  
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney  
Case Administrator

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-02535  
Date Received: 9/19/1988  
Receipt No: S002264  
Received By:                     

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: FRANS AARDEMA 208-536-2189  
Address: DBA AARDEMA - HEIDA DAIRY  
PO BOX 140  
WENDELL ID 83355-0140  
AND/OR  
Name: CORNELIA AARDEMA 208-536-2189  
Address: DBA AARDEMA - HEIDA DAIRY  
PO BOX 140  
WENDELL ID 83355-0140  
AND/OR  
Name: THOMAS HEIDA 208-536-2189  
Address: DBA AARDEMA - HEIDA DAIRY  
PO BOX 140  
WENDELL ID 83355-0140  
AND/OR  
Name: MARY JANE HEIDA 208-536-2189  
Address: DBA AARDEMA - HEIDA DAIRY  
PO BOX 140  
WENDELL ID 83355-0140

2. Date of Priority: DEC 23, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08S      | 14E   | 15      | SE     | SW     | SW  |     | GOODING |

5. Description of diverting works:

WELL, 80 HP PUMP, CONCRETE BASIN, 40 HP BOOSTER PUMP, PIPELINES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.420 |      | 392.00 |

MICROFILMED

7. Total Quantity Appropriated is:

1.420 C.F.S. (and/or) 392.00 A.F.A.

8. Total consumptive use is 294.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 08S      | 14E   | 15      | NW     | SW  |     | IRR           | 39.0  |
|          |       |         | SW     | SW  |     | IRR           | 38.0  |
|          |       |         |        |     |     | Section Acres | 77.0  |
|          |       | 22      | NW     | NW  |     | IRR           | 21.0  |
|          |       |         |        |     |     | Section Acres | 21.0  |
|          |       |         |        |     |     | Total Acres   | 98.0  |

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NORTH SIDE CANAL CO.

14. Remarks:

42-1409(7) OWNERSHIP CHANGE, ROLAND TO AARDEMA AND HEIDA, SF3  
SENT TO HEIDA, SS 05/25/95.

\*\*\*\*\*

SF3 REC'D 6/7/95 OWNERSHIP CHANGE COMPLETED 6/14/95 TF.

15. Basis of Claim: LICENSE

Water Right Number: 30352

RECEIVED

MAY 30 1995

Department of Water Resources  
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-02535

Date Received: 9/19/1988

Receipt No: S002264

Received By:

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

|          |                           |              |
|----------|---------------------------|--------------|
| 1. Name: | FRANS AARDEMA             | 208-536-2189 |
| Address: | DBA AARDEMA - HEIDA DAIRY |              |
|          | PO BOX 140                |              |
|          | WENDELL ID                | 83355-0140   |
| AND/OR   |                           |              |
| Name:    | CORNELIA AARDEMA          | 208-536-2189 |
| Address: | DBA AARDEMA - HEIDA DAIRY |              |
|          | PO BOX 140                |              |
|          | WENDELL ID                | 83355-0140   |
| AND/OR   |                           |              |
| Name:    | THOMAS HEIDA              | 208-536-2189 |
| Address: | DBA AARDEMA - HEIDA DAIRY |              |
|          | PO BOX 140                |              |
|          | WENDELL ID                | 83355-0140   |
| AND/OR   |                           |              |
| Name:    | MARY JANE HEIDA           | 208-536-2189 |
| Address: | DBA AARDEMA - HEIDA DAIRY |              |
|          | PO BOX 140                |              |
|          | WENDELL ID                | 83355-0140   |

2. Date of Priority: DEC 23, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 08S      | 14E   | 15      | SE     | SW     | SW  |     | GOODING |

5. Description of diverting works:  
WELL, 80 HP PUMP, CONCRETE BASIN, 40 HP BOOSTER PUMP, PIPELINES

6. Water is used for the following purposes:

|            |       |       |       |      |        |
|------------|-------|-------|-------|------|--------|
| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
| IRRIGATION | 03/15 | 11/15 | 1.420 |      | 392.00 |

MICROFILMED

DEC 04 1996

7. Total Quantity Appropriated is:

1.420 C.F.S. (and/or) 392.00 A.F.A.

8. Total consumptive use is 294.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 08S      | 14E   | 15      | NW     | SW  |     | IRR           | 39.0  |
|          |       |         | SW     | SW  |     | IRR           | 38.0  |
|          |       |         |        |     |     | Section Acres | 77.0  |
|          |       | 22      | NW     | NW  |     | IRR           | 21.0  |
|          |       |         |        |     |     | Section Acres | 21.0  |
|          |       |         |        |     |     | Total Acres   | 98.0  |

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NORTH SIDE CANAL CO.

14. Remarks:  
42-1409(7) OWNERSHIP CHANGE, ROLAND TO AARDEMA AND HEIDA, SF3  
SENT TO HEIDA, SS 05/25/95.

15. Basis of Claim: LICENSE

Water Right Number: 30352



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

RECEIVED

APR 27 1995

DATE OF CLOSING: 12/1/92

LEGAL DESCRIPTION OF PROPERTY: SEE ATTACHED EXHIBIT "A"  
Township \_\_\_\_\_ Range \_\_\_\_\_ Department of Water Resources  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.  
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)  
Assigned by IDWR: 36-02535
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Michael C. and Annalee Roland  
1418 E 3300 S  
Wendell, ID 83355
- ☐ New Owner/Claimant (Purchaser): Frans & Cornelia Aardema and Thomas & Mary Jane Heida
- ☐ New Mailing Address: dba Aardema - Heida Dairy  
P. O. Box 140  
Wendell, ID 83355-0140
- ☐ New Telephone Number: (208) 536 - 2189
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed Attached  
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Thomas H. Heida Date \_\_\_\_\_  
Mary J. Heida Date \_\_\_\_\_  
Frans Aardema Date \_\_\_\_\_  
Cornelia Aardema Date \_\_\_\_\_
- ☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5-24-95 By: RMF

Further Action Needed:

d.e. 5-25-95 o.p.

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

MICROFILMED

DEC 04 1996

*of 3 mailed to Heida 5-24-95.  
P.O.  
Record only*

EXHIBIT A  
LEGAL DESCRIPTIONS OF PROPERTY

RECEIVED

APR 27 1995

Department of Water Resources

Water Right # 36-02720

| TOWNSHIP | RANGE | SECTION | TRACT | ACRES | COUNTY  |
|----------|-------|---------|-------|-------|---------|
| 08S      | 14E   | 15      | NW SW | 39.0  | GOODING |
| 08S      | 14E   | 15      | SW SW | 38.0  | GOODING |
| 08S      | 14E   | 22      | NW NW | 21.0  | GOODING |

A36-02535

## WARRANTY DEED

For Value Received

MICHAEL C. ROLAND and ANNA LEE ROLAND, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

FRANS AARDEMA and CORNELIA AARDEMA, husband and wife AND

TOM H. HEIDA and MARY JANE HEIDA, husband and wife

d/b/a AARDEMA-HEIDA DAIRY whose address is: 1646 Boh Barton Highway, Wendell,

Idaho 83355  
Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho,  
to-wit:

Parcel No. 1:

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 15: NW1/4;

Parcel No. 2:

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 22: NW1/4;

Together with 113.0 shares of North Side Canal Company Water Stock

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: DECEMBER 2, 1992

*Michael C. Roland*  
MICHAEL C. ROLAND

*Anna Lee Roland*  
ANNA LEE ROLAND

STATE OF IDAHO, COUNTY OF JEROME

On this 2nd day of DECEMBER, 1992,  
before me, a notary public in and for said State, personally appeared

MICHAEL C. ROLAND and  
ANNA LEE ROLAND

known to me to be the persons whose names ARE  
subscribed to the within instrument, and acknowledged  
to me that THEY executed the same

*[Signature]* Notary Public  
Idaho.  
Residing at  
Commission Expires

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of *Land Title & Escrow Inc.*

51 min. past 3 o'clock P.m. this 3

of Dec 1992

JOHN A. MYERS Recorder

By *[Signature]* Deputy

RICK BERNSEN  
★ NOTARY PUBLIC ★  
STATE OF IDAHO

RESIDING AT JEROME, IDAHO  
MY COMMISSION EXPIRES

A36-62535

PROFILMED

DEC 04 1996

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-02535

Date Received: 8/18/1988

Receipt No: S002264

Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL C. ROLAND 208-536-2761  
Address: 1418 E. 3300 S.  
WENDELL, ID 83355

AND/OR

Name: ANNALEE ROLAND 208-536-2761  
Address: 1418 E. 3300 S.  
WENDELL, ID 83355

2. Date of Priority: DEC 23, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 08S      | 14E   | 15      | SE     | SW     | SW     |     | GOODING |

5. Description of diverting works:

WELL, 80 HP PUMP, CONCRETE BASIN, 40 HP BOOSTER PUMP, PIPELINES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.420  |      | 392.00 |

7. Total Quantity Appropriated is:

1.420 C.F.S. (and/or) 392.00 A.F.A.

8. Total consumptive use is 294.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-02535

Page 1

Date: 02/02/89

MICROFILMED

JAN 28 1993

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 08S      | 14E   | 15      | NW     | SW  |               | IRR | 39.0  |
|          |       |         | SW     | SW  |               | IRR | 38.0  |
|          |       |         |        |     | Section Acres |     | 77.0  |
|          |       | 22      | NW     | NW  |               | IRR | 21.0  |
|          |       |         |        |     | Section Acres |     | 21.0  |
|          |       |         |        |     | Total Acres   |     | 98.0  |

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
SHARES IN NORTH SIDE CANAL CO.

14. Remarks:

15. Basis of Claim: LICENSE  
Water Right Number: 30352

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

APR

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A36-02535

Date Received

8-18-88

Receipt Number

5002264

NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

AUG 18 1988

Department of Water Resources  
Southern Region Office

Please type or print clearly

1. Name of Claimant (s)

Annalee

Michael C. Roland

Phone (208)

536-2761

Mailing Address

1418 East 3300 South  
Wendell, Idh

Zip

83355

2. Date of Priority (Only one (1) per claim)

12/23/1961

3. Source of water supply (a)

Groundwater

which is tributary to (b)

4. a. Location of existing point of diversion is: Township

8S

Range

14E

Section

15

SE

1/4 of

SW

1/4 of

SW

1/4, Govt. Lot,

B.M., County of

Gooding

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township

Range

Section

1/4 of

1/4 of

1/4,

Govt. Lot

B.M.,

County of

ending point is: Township

Range

Section

1/4 of

1/4 of

1/4 of

1/4, Govt. Lot

B.M.,

County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.

Well with 80 H.P.

turbine pump delivering to concrete basin

where 40 H.P. booster pump delivers via pipelines

to sprinklers. Booster pump also supplied

water from North Side Canal Co.

MICROFILMED

JAN 28 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrig purposes from 3/15 to 11/15 amount 1,42 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 1,42 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 294 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) \_\_\_\_\_

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 8S  | 14E | 15  |        |       |       |       |        |       |       |       |        | 39    | 38    |       |        |       |       |       | 77     |
|     |     | 22  |        |       |       |       |        | 21    |       |       |        |       |       |       |        |       |       |       | 21     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 98

11. In which county (ies) are lands listed above as place of use located? Gooding

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
Shaves in North Side Canal Co. or None ( )

14. Remarks:

MICROFILMED

JAN 28 1993

Last Name Rolund Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. The grid is composed of small squares, each containing a crosshair pattern. The word "See" is handwritten in the middle-left area, and the word "Attached" is handwritten in the middle-right area.

JAN 28 1993

Last Name

Rolzud

Ident No.

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License ☒ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 36-2535  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)  
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled  
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ☒  
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1  
**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true  
and correct.

Signature of Claimant (s) *Michael C. P. [Signature]* Date Aug 12, 1988  
\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_ Title \_\_\_\_\_  
of \_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_  
Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Twila Falls ) SS.

Subscribed and sworn (or affirmed) before me this 18<sup>th</sup> day of Aug 19 88

SEAL

Notary Public *[Signature]*

Residing at Kimberly

My Commission Expires 6/30/94

Please Print Name

17. Notice of Appearance:  
Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf  
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above  
should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

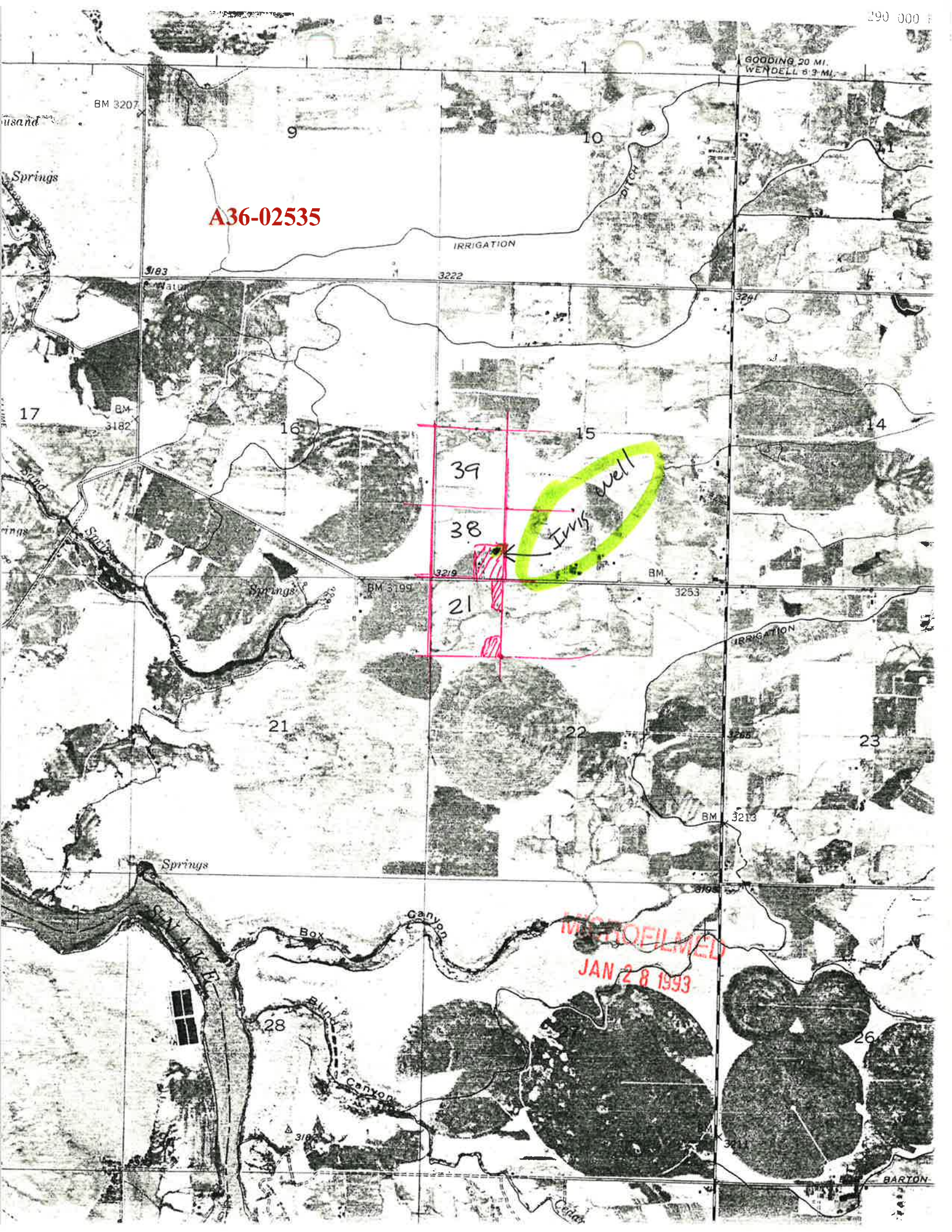
Date \_\_\_\_\_

MICROFILMED

JAN 28 1993

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant



A36-02535

Iris well

MICROFILMED  
JAN 28 1993

BARTON

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Poland

CLA

IDENT. NO.

A36-02535

DATE RECEIVED

8-18-88

CK #

5002264

AMOUNT \$

- |                                                                                                                                                                                                                          | YES                                 | NO                       | Required Info? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 2. Is a priority date entered?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| Is the priority date acceptable in view of mandatory filing dates? <input checked="" type="checkbox"/>                                                                                                                   |                                     |                          |                |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. <input checked="" type="checkbox"/>                                                                                                               |                                     |                          |                |
| 3. (a) Is a source entered?                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| N/A <input checked="" type="checkbox"/>                                                                                                                                                                                  |                                     |                          |                |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 5. Is there a description of the diverting works?                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| Is the period of use included?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| Is a quantity claimed for each use?                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 8. If required is a consumptive use entered?                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| N/A <input type="checkbox"/>                                                                                                                                                                                             |                                     |                          |                |
| Is the consumptive use correct?                                                                                                                                                                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| N/A <input type="checkbox"/>                                                                                                                                                                                             |                                     |                          |                |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| N/A <input checked="" type="checkbox"/>                                                                                                                                                                                  |                                     |                          |                |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| N/A <input checked="" type="checkbox"/>                                                                                                                                                                                  |                                     |                          |                |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| N/A <input checked="" type="checkbox"/>                                                                                                                                                                                  |                                     |                          |                |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 18. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 19. Was this claim filed on time, or was an extension granted?                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 20. Is the fee enclosed correct?                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| Exempt <input type="checkbox"/>                                                                                                                                                                                          |                                     |                          |                |
| 21. If this claim is based on an existing water right, has the identification number been entered?                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| N/A <input type="checkbox"/>                                                                                                                                                                                             |                                     |                          |                |
| 22. Should this claim be receipted and data entered?                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |

Claim checked by: lat

Date: 2-2-89

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

A. Merritt

Claim data entered by:

RRF

Sent to claimant by:

Date: 9-19-88

Date: 2/2/89

Date: 2/2/89

Checked by: lat

Date: 2/2/89

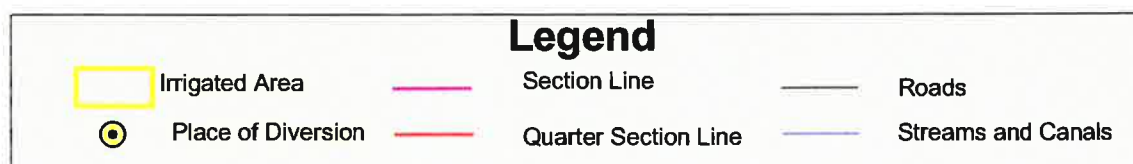
Comments:

MICROFILMED

JAN 28 1993

Water Right Number 36-02535  
Township , 8S14E

11/13/2001



Log for claim 36-02535

Spatial Dynamics LTD

11/13/01

| TR      | SEC | QQ   | Acres<br>Recommended | Acres<br>Shaped | COMMENT |
|---------|-----|------|----------------------|-----------------|---------|
| 08s14e  | 15  | NWSW | 39                   | 39              |         |
| 08s14e  | 15  | SWSW | 38                   | 38              |         |
| 08s14e  | 22  | NWNW | 21                   | 24              |         |
| Totals: |     |      | 98                   | 101             |         |



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380**

**Phone: (208) 736-3033 FAX: (208) 736-3037**

SOUTHERN REGION

February 11, 2000

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

MICHAEL HARLAND FELTON, JR  
FELTON & FELTON ATTORNEYS AT LAW  
PO BOX 589  
BUHL ID 83316

RE: Aardema-Heida Dairy DBA Box Canyon Dairy  
Snake River Basin Adjudication claims No. 36-02232; 02535; 02610; 02720;  
04001; 04117; 04050; 04151; 07650A; 08021; 08169; 15181

Dear Mr. Felton:

Pursuant to your submission of Certificate of Assumed Business name for the above referenced Dairy and the Notice of Appearance submitted to the department, we have made the appropriate changes. I have forwarded the paper work to the State Office in Boise so they can process the claims that have been decreed.

Please find the enclosed copies of the computer record of the claims, noting the change in name. Review these records and if there is an error, or if you have any questions, please contact this office.

Sincerely,

Cheryl E. Timm  
Office Specialist

Enclosures

CT:ct

**COPY**

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

RECEIVED  
FEB 23 1998  
Department of Water  
Southern Region

1. Water Right No(s): A36-10734; 36-10735; 36-10736; 36-11070; 36-02535

Adjudication Claim No(s): \_\_\_\_\_

2. The following REQUIRED information must be submitted with this form:

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND  
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)  
OR  
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Frans and Cornelia Aardema and Thomas and Mary Jane Heida dba Aardema-Heida Dairy

4. New Owner/Claimant(s) Frans and Cornelia Aardema and Thomas and Mary Jane Heida dba Box Canyon Dairy  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
New Mailing Address P.O. Box 140

City, State and ZIP Code Wendell, ID 83355

New Telephone Number (208) 536-2189

5. Date you acquired the property N/A See cover L

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_

Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Frans Aardema Mary Jane Heida  
Frans Aardema Cornelia Aardema  
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

COPY

1999 NOV 19 PM 12: 42

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: **36-02535, 36-04117**

**NOTICE OF ADMINISTRATIVE  
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

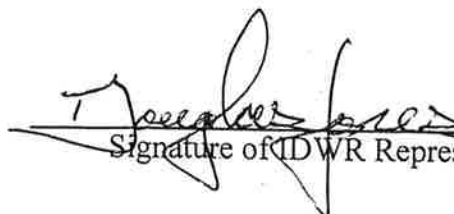
☒ I.C. § 42-222 transfer 5500

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:  
October 20, 2000.

Dated 11/5/99

  
\_\_\_\_\_  
Signature of IDWR Representative

## INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

## CERTIFICATE OF MAILING

I certify that on 11/19, 1999, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
Michael Harland Felton  
Felton & Felton Attorneys  
PO Box 589  
Buhl ID 83316

3. One copy to:

Claimant/Purchaser for Substitution of Party or attorney of record:

4. One copy to:

Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380**

**Phone: (208) 736-3033 FAX: (208) 736-3037**

**SOUTHERN REGION**

November 17, 1999

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

MICHAEL HARLAND FELTON  
FELTON & FELTON ATTORNEYS  
PO BOX 589  
BUHL ID 83316

RE: SRBA Claim(s) 36-02535, 36-04117 / Box Canyon Dairy

Dear Counselor:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enc.

## APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

AUG 19 1998

NAP

36-02535

04117

Name of applicant Box Canyon DairyDepartment of Water Resources  
Southern Region

Phone (208) 536-2928

Post Office address P O Box 140, Wendell, ID 83355-0140

## A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☒ Other Split rights, created PPU
2. Describe the reason for the proposed changes System irrigates more land than it is licensed for, so additional water needs to be moved to the property so well can be use fully when needed.

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

| 1. Right Number  | Priority        | Amount (cfs/ac-ft) | Nature of Use     | Period of Use              |
|------------------|-----------------|--------------------|-------------------|----------------------------|
| <u>36-02535R</u> | <u>12/23/61</u> | <u>0.71/196</u>    | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| <u>36-04117</u>  | <u>3/15/55</u>  | <u>0.50/100.0</u>  | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
|                  |                 |                    |                   | to                         |
|                  |                 |                    |                   | to                         |

2. Total amount of water being transferred 1.21 cubic feet per second and/or 296.0 acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|-----|-----|-----|------|------|------|---------|--------------------------|
|     | NW  | NW  | SW  | 25   | 8S   | 14E  | Gooding |                          |
|     |     |     |     |      |      |      |         |                          |
|     |     |     |     |      |      |      |         |                          |
|     |     |     |     |      |      |      |         |                          |

5. Lands irrigated or place of use: \* go 7-21-99 changed per G15

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 8S   | 14E  | 25   |        |        |        |        |        |        | 25     | 37     | 13     | 9      |        |        |        |        |        |        | 74     |
|      |      |      |        |        |        |        |        |        | 14     | 38     |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        | *      |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 74

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 25 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources  
Southern Basin

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s).: 36-02232, 36-15181, 36-07387B, 36-04117, 36-04050  
Adjudication Claim No(s).: \_\_\_\_\_

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant  
Frans and Cornelia Aardema, Tom and Mary Jane Heida, d/b/a Aardema Heida Dairy

4. New Owner/Claimant(s)  
Frans and Cornelia Aardema, Tom and Mary Jane Heida, d/b/a Box Canyon Dairy

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address  
P O Box 140

City, State and ZIP Code  
Wendell, Idaho 83355

New Telephone Number  
(208) 536-2189

5. Date you acquired the property  
There has been no change in ownership, only a change in the name the partnership is doing business under. See

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_

Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)  
FRANS AARDEMA CORNELIA AARDEMA  
TOM HEIDA MARY JANE HEIDA

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

11/23/99 Changed DBA

2

# CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-504, Idaho Code, the undersigned gives notice of adoption of an Assumed Business Name.

1. The assumed business name which the undersigned use(s) in the transaction of business is:

Box Canyon Dairy

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

| <u>Name</u>                       | <u>Address</u>                       |
|-----------------------------------|--------------------------------------|
| <u>Frans and Cornelia Aardema</u> | <u>P O Box 140 Wendell, ID 83355</u> |
| <u>Tom and Mary Jane Heida</u>    | <u>P O Box 140 Wendell, ID 83355</u> |

3. The general type of business transacted under the assumed business name is:

Agriculture

See categories on the reverse

4. The name and address to which correspondence should be addressed:

Box Canyon Dairy, c/o Tom Heida, P O Box 140, Wendell, ID 83355

Signed Box Canyon Dairy

By Tom Heida  
Tom Heida

Submit Certificate of Assumed  
Business Name and \$20.00 fee to:

Secretary of State  
700 West Jefferson  
PO Box 83720  
Boise ID 83720-0080

Customer #

Secretary of State use only  
IDAHO SECRETARY OF STATE

08/20/1997 09:00  
CK: 3328 CT: 47068 IN: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380



Michael Hoyt Felton  
Michael Harland Felton (Jr.)

Professional Center  
1020 Main

Mailing Address:  
Post Office Box 589  
Buhl, ID 83316-0589

(208) 543-4368 (telephone)  
(208) 543-4360 (telecopier)

August 23, 1999

RECEIVED

AUG 25 1999

Department of Water Resources  
Southern Region

Attention: Vickie Hancock  
Idaho Department of Water Resources  
1341 Fillmore Street Suite 200  
Twin Falls, Idaho 83301

Dear Ms. Hancock:

RE: Aardema Heida Dairy to Box Canyon Dairy  
Change of Water Right Ownership Forms  
Our File No. 2476

Enclosed herein please find a Notice of Appearance and a Notice of Change of Water Right Ownership for the following water right numbers:

36-02232  
36-15181  
36-07387B  
36-04117  
36-04050  
36-40001 04001  
36-02720  
36-02610  
36-02535  
36-02312B  
36-07650A

Also attached hereto we have included a copy of the Certificate of Assumed Business Name filed with the Idaho Secretary of State on August 20, 1997. As I believe we have discussed before, with a number of other water rights, the same partnership still owns the water rights noted above, but the name the partnership is doing business under has changed from Aardema Heida Dairy to Box Canyon Dairy.

Page # 2  
Vickie Hancock  
August 23, 1999

---

Please review these records and submit them for processing if they appear to be in order to you. If not, please contact me at your earliest convenience.

Very truly yours,



MICHAEL H. FELTON, (JR.)

MHF/jms

Michael H. Felton, Jr.  
FELTON AND FELTON  
Attorneys at Law  
1020 Main Street  
P O Box 589  
Buhl Id 83316-0589  
Telephone: (208) 543-4368  
Facsimile: (208) 543-4360  
Attorneys for Plaintiff/Defendant  
(C:\MyFiles\abc-doc\ 2476Not.App824)Js

RECEIVED

SEP 04 1998

Department of Water Resources  
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\*\*\*\*\*

In Re The General Adjudication,  
of Rights to the Use of Water  
From the Snake River Basin Water  
System.

CASE NO. 39576

The State of Idaho, ex rel. R.  
Higginson in his official  
capacity as Director of the  
Idaho Department of Water  
Resources,

Petitioner,

vs:

NOTICE OF APPEARANCE

The United States, the State of Idaho;  
and all Claimants to the Use of Water  
From the Snake River Basin Water  
System,

Respondents.

\*\*\*\*\*

NOTICE OF APPEARANCE

OK

1 PLEASE BE NOTIFIED that Michael H. Felton, (Jr.), Attorney at Law, and  
2 the firm of Felton & Felton, hereby enters an appearance as attorneys of record on behalf  
3 of Frans and Cornelia Aardema and Tom and Mary Jane Heida d/b/a Box Canyon Dairy,  
4 the Respondents in the above-entitled action, as counsel of record for said Respondents  
5 with respect to Water Rights Number 36-02535, and the Clerk of the Court is hereby  
6 requested to make such entries as may be required to record such appearance. All  
7 further pleadings, notices and correspondence of any kind filed hereafter in this matter  
8 should be sent to Michael H. Felton , (Jr.) of Felton & Felton, P. O. Box 589, Buhl, Idaho  
9 83316-0589.  
10

11  
12 DATED: August 24, 1998.

13  
14 FELTON & FELTON

15  
16  
17 By 

18 MICHAEL HARLAND FELTON  
19 Attorneys for Defendant  
20  
21  
22  
23  
24  
25  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

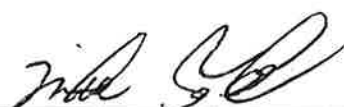
The undersigned, a resident attorney of the State of Idaho, with offices at 1020 Main Street, Post Office Box 589, Buhl, Idaho 83316-0589, and attorney for the Defendant in this action, certifies that he caused to be via facsimile and mailed on August 24, 1998, a copy of the above and foregoing

NOTICE OF APPEARANCE

to:

Director of Idaho Department of Water Resources  
P O Box 83720  
Boise, ID 83720-0098

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P O Box 2707  
Twin Falls, ID 83303-2707

  
\_\_\_\_\_  
MICHAEL H. FELTON, JR.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

Transfer No. \_\_\_\_\_

PART 1

AUG 19 1998

Applicant Box Canyon Dairy Department of Water Resources Southern Region Phone (208) 536-2928  
Address P O Box 140, Wendell, ID 83355-0140

**A. POSE OF TRANSFER**

- ☐ Change point of diversion      ☒ Add diversion point(s)      ☒ Change place of use  
☐ Change nature of use      ☐ Change period of use      ☒ Other Split rights, created PPU

2. Describe the reason for the proposed changes System irrigates more land than it is licensed for, so additional water needs to be moved to the property so well can be used fully when needed.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

| 1. Right Number | Priority        | Amount<br>(cfs/ac-ft) | Nature<br>of Use  | Period of Use              |
|-----------------|-----------------|-----------------------|-------------------|----------------------------|
| <u>36-02535</u> | <u>12/23/61</u> | <u>.71/196</u>        | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| <u>36-04117</u> | <u>3/15/55</u>  | <u>0.50/100.0</u>     | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| _____           | _____           | _____                 | _____             | _____ to _____             |
| _____           | _____           | _____                 | _____             | _____ to _____             |

2. Total amount of water being transferred 1.21 cubic feet per second and/or 296.0 acre-feet per annum.

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|----|----|----|------|------|------|---------|--------------------------|
|     | NW | NW | SW | 25   | 8S   | 14E  | Gooding |                          |
|     |    |    |    |      |      |      |         |                          |
|     |    |    |    |      |      |      |         |                          |
|     |    |    |    |      |      |      |         |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 8S   | 14E  | 25   |      |      |      |      |      |      | 15   | 37   | 13   | 9    |      |      |      |      |      |      | 74     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres 74

RECEIVED  
SEP 04 1998  
Department of Water Resources

COPY

Michael H. Felton, Jr.  
FELTON AND FELTON  
Attorneys at Law  
1020 Main Street  
P O Box 589  
Buhl Id 83316-0589  
Telephone: (208) 543-4368  
Facsimile: (208) 543-4360  
Attorneys for Plaintiff/Defendant  
(C:\MyFiles\abc-doc\ 2476Not.App814)Js

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\*\*\*\*\*

In Re The General Adjudication,  
of Rights to the Use of Water  
From the Snake River Basin Water  
System.

The State of Idaho, ex rel. R.  
Higginson in his official  
capacity as Director of the  
Idaho Department of Water  
Resources,

Petitioner,

vs:

The United States, the State of Idaho;  
and all Claimants to the Use of Water  
From the Snake River Basin Water  
System,

Respondents.

CASE NO. 39576

NOTICE OF APPEARANCE

\*\*\*\*\*

NOTICE OF APPEARANCE

1 PLEASE BE NOTIFIED that Michael H. Felton, (Jr.), Attorney at Law, and  
2 the firm of Felton & Felton, hereby enters an appearance as attorneys of record on behalf  
3 of Frans and Cornelia Aardema and Tom and Mary Jane Heida d/b/a Box Canyon Dairy,  
4 the Respondents in the above-entitled action, as counsel of record for said Respondents  
5 with respect to Water Rights Number 36-04117, and the Clerk of the Court is hereby  
6 requested to make such entries as may be required to record such appearance. All  
7 further pleadings, notices and correspondence of any kind filed hereafter in this matter  
8 should be sent to Michael H. Felton , (Jr.) of Felton & Felton, P. O. Box 589, Buhl, Idaho  
9 83316-0589.  
10

11  
12 DATED: August 24, 1998.

13  
14 FELTON & FELTON

15  
16  
17 By   
18 MICHAEL HARLAND FELTON  
19 Attorneys for Defendant  
20  
21  
22  
23  
24  
25  
26

1  
2 CERTIFICATE OF SERVICE

3 The undersigned, a resident attorney of the State of Idaho, with offices at  
4 1020 Main Street, Post Office Box 589, Buhl, Idaho 83316-0589, and attorney for the  
5 Defendant in this action, certifies that he caused to be via facsimile and mailed on August  
6 24, 1998, a copy of the above and foregoing

7 NOTICE OF APPEARANCE

8 to:

9 Director of Idaho Department of Water Resources  
10 P O Box 83720  
11 Boise, ID 83720-0098

12 Clerk of the District Court  
13 Snake River Basin Adjudication  
14 253 Third Avenue North  
15 P O Box 2707  
16 Twin Falls, ID 83303-2707

17  
18   
19  
20  
21  
22  
23  
24  
25  
26  
MICHAEL H. FELTON, JR.



Professional Center  
1020 Main

Michael H. Felton, Sr.  
Michael H. Felton, Jr.

Mailing Address:  
Post Office Box 589  
Buhl, ID 83316-0589

(208) 543-4368 (telephone)  
(208) 543-4360 (telecopier)

September 3, 1998

Director  
Idaho Department of Water Resources  
P O Box 83720  
Boise, ID 83720-0098

RECEIVED

SEP 04 1998

Department of Water Resources

Dear Madam Clerk:

RE: Box Canyon Dairy  
Application for Transfer of Water Right  
SRBA Civil Case No. 39576  
Our File No.: 3843

Enclosed herein please find original and one copy of Application for Transfer of Water Right and Notice of Appearance for the following water rights numbers:

|                    |           |
|--------------------|-----------|
| Water Right Number | 36- 02535 |
| Water Right Number | 36- 04117 |

It would be appreciated if you would date stamp the copies and return them to this office in the enclosed self-addressed, stamped envelope. *See 9/4/98*

Your assistance in this matter is greatly appreciated. If you have any questions or comments after reviewing the enclosed documentation, do not hesitate to contact me. I look forward to working with you on this matter.

Very truly yours,

MICHAEL H. FELTON (JR.)

MHF/js  
Enclosure (9)  
pc: Box Canyon Dairy

Michael H. Felton, Sr.  
Michael H. Felton, Jr.

Professional Center  
1020 Main

Mailing Address:  
Post Office Box 589  
Buhl, ID 83316-0589

(208) 543-4368 (telephone)  
(208) 543-4360 (telecopier)

August 17, 1998

Vikie Hancock, SRBA Records Clerk  
Idaho Department of Water Resources  
1341 Fillmore Street, Suite 200  
Twin Falls, ID 83303-3380

**RECEIVED**

**AUG 18 1998**

Department of Water Resources  
Southern Region

Dear Vikie:

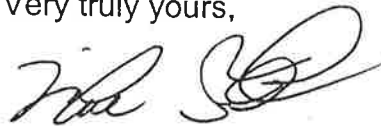
RE: Aardema-Heida Dairy and Box Canyon Dairy  
Our File No. 2476

Pursuant to your letter dated May 8, 1998, and also pursuant to our telephone conversation of approximately two weeks ago, enclosed herein please find the completed Notice of Change of Water Right Ownership Forms and a copy of the Certificate of Assumed Business Name you have requested.

This letter will also confirm the fact that in our above noted telephone conversation, you stated you did not believe you would need copies of deeds in connection with the water rights addressed herein since there was never actually a deed transferring the water rights. Instead, all that was done is a Certificate of Assumed Business Name was filed with the Secretary of State changing the name of the Aardema-Heida Dairy to Box Canyon Dairy. If I can assist you any further, do not hesitate to contact me.

I have also enclosed a Notice of Appearance for all of the water rights discussed in your letter.

Very truly yours,



MICHAEL H. FELTON (JR.)

MHF/js  
pc: Tom Heida  
Enclosures

# CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-504, Idaho Code, the undersigned gives notice of adoption of an Assumed Business Name.

1. The assumed business name which the undersigned use(s) in the transaction of business is:

Box Canyon Dairy

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

| Name                              | Address                              |
|-----------------------------------|--------------------------------------|
| <u>Frans and Cornelia Aardema</u> | <u>P O Box 140 Wendell, ID 83355</u> |
| <u>Tom and Mary Jane Heida</u>    | <u>P O Box 140 Wendell, ID 83355</u> |

3. The general type of business transacted under the assumed business name is:

Agriculture

See categories on the reverse

4. The name and address to which correspondence should be addressed:

Box Canyon Dairy, c/o Tom Heida, P O Box 140, Wendell, ID 83355

Signed Box Canyon Dairy

By Tom Heida  
Tom Heida

Submit Certificate of Assumed  
Business Name and \$20.00 fee to:

Secretary of State  
700 West Jefferson  
PO Box 83720  
Boise ID 83720-0080

Customer #

Secretary of State use only  
IDAHO SECRETARY OF STATE

08/20/1997 09:00  
CK: 3328 CT: 47868 IN: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380

RECEIVED

JAN 13 1997

Department of Water Resources

MICHAEL HARLAND FELTON  
FELTON AND FELTON  
ATTORNEYS AT LAW  
1020 MAIN STREET  
P O BOX 589  
BUHL ID 83316-0589  
TELEPHONE: (208) 543-4368  
FACSIMILE: (208) 543-4360  
Attorneys for **Respondent**  
(C:\WPDOC\ABC-DOC\2476NOT.APP)js

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\* \* \* \* \*

In Re the General Adjudication )  
of Rights to the Use of Water )  
From the Snake River Basin Water )  
System. )

CASE NO. 39576

The State of Idaho, ex rel. R. )  
Higginson in his official )  
capacity as Director of the )  
Idaho Department of Water )  
Resources, )

*36-02535*  
*record modified 1-16-97*  
*-P*

Petitioner, )

vs: )

NOTICE OF APPEARANCE

The United States; the State of )  
Idaho; and all Claimants to the )  
Use of Water From the Snake )  
River Basin Water System, )

Respondents. )

\* \* \* \* \*

PLEASE BE NOTIFIED that Michael H. Felton hereby  
appears on behalf of Frans and Cornelia Aardema and Tom and Mary

NOTICE OF APPEARANCE

1 Jane Heida d/b/a Aardema-Heida Dairy, the Respondent in the above-  
2 entitled action, as counsel of record for said Respondents with  
3 respect to Water Rights Numbers A 36-02535.

4 DATED: January 10, 1997.

5 FELTON & FELTON

6  
7  
8 By 

MICHAEL H. FELTON

Attorneys for Respondent

9 **CERTIFICATE OF SERVICE**

10 The undersigned, a resident attorney of the State of  
11 Idaho, with offices at 1020 Main Street, Post Office Box 589, Buhl,  
12 Idaho 83316-0589, and attorney for the **Respondent** in this action,  
13 certifies that he caused to be **mailed** on **January 10, 1997**, a copy  
14 of the above and foregoing  
15

16 **Notice of Appearance**

17 to:

18 DIRECTOR OF IDWR  
19 P O BOX 83720  
BOISE, ID 83720-0098

20 CLERK OF THE DISTRICT COURT  
21 SNAKE RIVER BASIN ADJUDICATION  
22 253 THIRD AVENUE NORTH  
P O BOX 2707  
TWIN FALLS, ID 83303-2707

23  
24   
25 MICHAEL HARLAND FELTON  
26

NOTICE OF APPEARANCE

RECEIVED

DEC 20 1996

Department of Water Resources

MICHAEL HARLAND FELTON  
FELTON AND FELTON  
ATTORNEYS AT LAW  
1020 MAIN STREET  
P O BOX 589  
BUHL ID 83316-0589  
TELEPHONE: (208) 543-4368  
FACSIMILE: (208) 543-4360  
Attorneys for **Respondent**  
(C:\WPDOC\ABC-DOC\2476NOT.APP)js

DEC 27 1996

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\* \* \* \* \*

In Re the General Adjudication )  
of Rights to the Use of Water )  
From the Snake River Basin Water )  
System. )

CASE NO. 39576

The State of Idaho, ex rel. R. )  
Higginson in his official )  
capacity as Director of the )  
Idaho Department of Water )  
Resources, )

36-02535

Petitioner, )

vs: )

NOTICE OF APPEARANCE

The United States; the State of )  
Idaho; and all Claimants to the )  
Use of Water From the Snake )  
River Basin Water System, )

Respondents. )

\* \* \* \* \*

PLEASE BE NOTIFIED that Michael H. Felton hereby appears  
on behalf of Frans and Cornelia Aardema and Tom and Mary Jane Heida

1 d/b/a Aardema-Heida Dairy, the Respondent in the above-entitled  
2 action, as counsel of record for said Respondents with respect to  
3 Water Rights Numbers 36-11070, 36-11071, A36-04050, A36-10734, A36-  
4 10735 and A36-10736 and A36-02232, A36-04001, A36-7650, A36-2610,  
5 A 36-02535 and A 36-02720.

6 DATED: December 18, 1996.

7 FELTON & FELTON

8  
9  
10 By 

MICHAEL H. FELTON

Attorneys for Respondent

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6

## Notice of Appearance

Director of IDWR  
P O Box 83720  
Boise, ID 83720-0098

  
MICHAEL HARLAND FELTON



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033  
Fax (208) 736-3037

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

June 14, 1995

AARDEMA-HEIDA DAIRY  
PO BOX 140  
WENDELL ID 83355-0140

RE: SRBA Claim(s) A36-02720, A36-02535, A36,02610, A36-07650A  
AND A36-0401

Ladies and Gentlemen:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett  
Technical Records Specialist

enc.

Water Right Number - 36-02535

Prefix Translation: WATER RIGHT

Old (D) Number - 30352

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
AARDEMA

FRANS

1 - DBA AARDEMA - HEIDA DAIRY  
2 - PO BOX 140  
3 -  
City- WENDELL State- ID Zip- 833550140  
Phone - 208-536-2189

AARDEMA

CORNELIA

1 - DBA AARDEMA - HEIDA DAIRY  
2 - PO BOX 140  
3 -  
City- WENDELL State- ID Zip- 833550140  
Phone - 208-536-2189

HEIDA

THOMAS

1 - DBA AARDEMA - HEIDA DAIRY  
2 - PO BOX 140  
3 -  
City- WENDELL State- ID Zip- 833550140  
Phone - 208-536-2189

HEIDA

MARY JANE

1 - DBA AARDEMA - HEIDA DAIRY  
2 - PO BOX 140  
3 -  
City- WENDELL State- ID Zip- 833550140  
Phone - 208-536-2189\*\*\* D - DIR RPT OWNER \*\*\*  
ROLAND

MICHAEL C

1 - 1418 E 3300 S  
2 -  
3 -  
City- WENDELL State- ID Zip- 83355  
Phone - 208-536-2761

ROLAND

ANNALEE

1 - 1418 E 3300 S  
2 -  
3 -  
City- WENDELL State- ID Zip- 83355  
Phone - 208-536-2761\*\*\* O - ORIGINAL OWNER \*\*\*  
JOHNSON

ROY W

1 -  
2 -  
3 -  
City- WENDELL State- ID Zip- 0  
Phone - 208-000-0000+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +  
12/23/1961 17 SOUTHERN L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +  
GROUNDWATER+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County  
08S 14E 15 SE SW SW (47) GOODINGMICROFILMED  
DEC 04 1996

Water right number - 36-02535

Prefix Translation: WATER RIGHT

| Code                    | Description | Period From               | Water Use<br>Period To | Diversion Rate                | Diversion Volume |
|-------------------------|-------------|---------------------------|------------------------|-------------------------------|------------------|
| 01 - IRRIGATION         |             | 04/01                     | 10/31                  | 1.420                         | 392.00           |
| + - Total Div. Rate - + |             | + - Total Div. Volume - + |                        | + - Total Consumptive Use - + |                  |
| 1.420                   |             | 392.00                    |                        | 294.0                         |                  |

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County       |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 08S | 14E | 15  | NW SW |     | 39.0  | 01   | IRRIGATION  | (47) GOODING |
| 08S | 14E | 15  | SW SW |     | 38.0  | 01   | IRRIGATION  | (47) GOODING |
| 08S | 14E | 22  | NW NW |     | 21.0  | 01   | IRRIGATION  | (47) GOODING |

Total Acres: 98.0

+ - - Diversion Means - WELL, 80 HP PUMP, CONCRETE BASIN, 40 HP BOOSTER PUMP, PIPELINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NORTH SIDE CANAL CO.

+ - - - - - Remarks - - - - -  
No Remarks found.+ - - - - - Old Water Right Numbers - - - - -  
No Old Water Right Numbers Found+ - - - - - Conditions of Approval - - - - -  
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
- NORTH SIDE CANAL CO. LTD.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +  
00/00/0000+ - - - - - Comments - - - - -  
Date: 06/14/1995 User Id: TFAWCETT Subject: NAME CHANGE  
6/14/95 TF CHANGE OF OWNERSHIP MADE. SF3 REC'D 6/7/95.+ - - Audit Fields - - +  
06/14/95 TFAWCETT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

|                      |              |                       |              |                         |         |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing  | - 11/02/1992 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -       |
| Response Filed Date  | - 00/00/0000 | Verified Date         | - 00/00/0000 | Old Judicial District   | -       |
| Claim Received Date  | - 09/19/1988 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - S002264    | Water District          | -       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | -       |

MICROFILMED  
DEC 04 1996

*FELTON & FELTON*  
Attorneys at Law

Professional Center  
1020 Main

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

Mailing Address:  
Post Office Box 589  
Buhl, ID 83316-0589  
(208) 543-4368 (telephone)  
(208) 543-4360 (telecopier)

May 26, 1995

Donald Shaff  
c/o State of Idaho  
Dept. of Water Resources  
1301 N Orchard St.  
Statehouse Mail  
Boise, ID 83720-9000

RECEIVED

JUN 07 1995

Department of Water Resources  
Southern Region

RECEIVED

MAY 30 1995

Department of Water Resources

Dear Mr. Shaff:

Our File No. 2476

Pursuant to our telephone conversation of Thursday May 25, 1995, as well as your correspondence dated May 24, 1995, I have reviewed the transfer of water right file with respect to Aardema-Heida Dairy.

As you will recall, during our conversation I suggested that I believed we had filed the Standard Form 3 with respect to the Aardema-Heida transactions. I have now had the opportunity to review the file and can confirm that my initial suspicion was correct. Enclosed herein please find copies of the Standard Form 3 which were filed in connection with the Aardema-Heida transfer of water rights.

Please review these forms and include them in your files if you have not yet received them. As always, if you have any additional questions or comments regarding this matter do not hesitate to call me.

Very truly yours,



MICHAEL HARLAND FELTON

MHF:bf  
pc: Tom Heida  
Enclosures (8)

MICROFILMED

DEC 04 1996

*FELTON & FELTON*  
Attorneys at Law

Professional Center  
1020 Main

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

Mailing Address:  
Post Office Box 589  
Buhl, ID 83316-0589  
(208) 543-4368 (telephone)  
(208) 543-4360 (telecopier)

April 19, 1995

RECEIVED

JUN 07 1995

Department of Water Resources  
222 Shoshone Street East  
Twin Falls, ID 83301

Dear Ladies and Gentlemen:

Department of Water Resources  
Southern Region

RE: Clark, Roland, Pilkinton to Aardema-Heida  
New Property Owner Notice of Change of Water  
Right Ownership/Consent to Substitution to Party  
Our File No: 2476

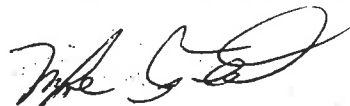
Enclosed herein please find copies of Consent to Substitution of Party for Water Rights and original New Property Owner Notice of Change of Water Right Ownership forms with proof of ownership attached to the transfer form:

- (1) Darwin L. and Dianna W. Clark to Frans and Cornelia Aardema and Thomas and Mary Jane Heida d/b/a Aardema-Heida Dairy
- (2) Michael C. and Annalee Roland to Frans and Cornelia Aardema and Thomas and Mary Jane Heida d/b/a Aardema-Heida Dairy
- (3) C. R. and E. A. Pilkinton to Frans and Cornelia Aardema and Thomas and Mary Jane Heida d/b/a Aardema-Heida Dairy

Please enter the documents into your files.

As always, if you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js  
Enclosures (6)  
PC: Thomas Heida

MICROFILMED

DEC 04 1996



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 25, 1995

THOMAS H AND MARY JANE HEIDA  
DBA AARDEMA HEIDA DAIRY  
PO BOX 140  
WENDELL ID 83355-0140

RE: Snake River Basin Adjudication (SRBA)  
Notices of Claim #36-02535 and 36-02720

Dear Claimants:

I realized today that I omitted the above two water right numbers from my transmittal letter of May 23, 1995, when I sent you the Standard Form 3. I've enclosed two additional SF3's for your use. Your paperwork was very well-organized; better than I was!

I hope my omission did not cause you undue consternation.

Sincerely,

Sally Sherman  
Secretary, Adjudication Bureau  
Department of Water Resources

SS:region

Enclosures:

(2) Standard Form 3

MICROFILMED

DEC 04 1996



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 23, 1995

THOMAS H AND MARY JANE HEIDA  
DBA AARDEMA HEIDA DAIRY  
PO BOX 140  
WENDELL ID 83355-0140

RE: Snake River Basin Adjudication (SRBA)  
Notices of Claim #36-02610, 36-04001 and 36-07650A *and*

Dear Claimants:

*36-02535 and 36-02720*

Thank you for notifying us of the change in ownership of the water rights referenced above. SRBA Judge Hurlbutt issued an Amended Order March 22, 1995, requiring claimants such as yourself acquiring property and associated water right(s) identified in a Director's Report to use Standard Form 3 for change in ownership. We have enclosed this form for your use. When the Court's form has been submitted according to the instructions the processing of the change of ownership can be completed.

Please contact us or the SRBA Court at 208/733-3011 if you have any questions.

Sincerely,

Idaho Department of Water Resources  
Adjudication Bureau

SO:ss:region  
Enclosure:

(3) Standard Form 3

MICROFILMED

DEC 04 1996

AJ5808NP  
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT

02/13/95 15:22:21  
Page 1

Water Right Number - 36-02535

Prefix Translation: WATER RIGHT

Old (D) Number - 30352

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
ROLAND

MICHAEL C

1 - 1418 E 3300 S

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2761

1 - 1418 E 3300 S

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2761

ROLAND

ANNALEE

\*\*\* O - ORIGINAL OWNER \*\*\*  
JOHNSON

ROY W

1 -

2 -

3 -

City- WENDELL

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - +  
12/23/1961

+ - - Region - - +  
17 SOUTHERN

+ - - Stage - - - +  
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +  
GROUNDWATER

+ - - Tributary - - - - - +

+ - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County Diversion Name

08S 14E 15 SE SW SW (47) GOODING

+ - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

1.420

392.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
1.420 392.00 294.0

+ - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

08S 14E 15 NW SW 39.0 01 IRRIGATION (47) GOODING

08S 14E 15 SW SW 38.0 01 IRRIGATION (47) GOODING

08S 14E 22 NW NW 21.0 01 IRRIGATION (47) GOODING

Total Acres: 98.0

+ - - Diversion Means - WELL, 80 HP PUMP, CONCRETE BASIN, 40 HP BOOSTER PUMP, PIPELINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NORTH SIDE CANAL CO.

Recommended  
No objections  
filed  
Rec for 98 acrs

RECEIVED

APR 27 1995

Department of Water Resources

DEC 04 1996

MICROFILMED



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

# RECEIVED

DATE OF CLOSING: 12/1/92

LEGAL DESCRIPTION OF PROPERTY: SEE ATTACHED EXHIBIT "A"  
Township \_\_\_\_\_ Range \_\_\_\_\_

Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.

Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_

If you have additional legal descriptions, please attach separate sheet.

APR 21 1995  
Department of Water Resources  
Southern Region

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)  
Assigned by IDWR: 36-02535
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Michael C. and Annalee Roland  
1418 E. 3300 S  
Wendell, ID 83355
- ☐ New Owner/Claimant (Purchaser): Frans & Cornelia Aardema and Thomas & Mary Jane Heida
- ☐ New Mailing Address: dba Aardema - Heida Dairy  
P. O. Box 140  
Wendell, ID 83355-0140
- ☐ New Telephone Number: (208) 536 - 2189
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed Attached  
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Thomas & Mary Jane Heida Date \_\_\_\_\_  
Frans & Cornelia Aardema Date \_\_\_\_\_
- ☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry  
Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken  
Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry  
Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

MICROFILMED

DEC 04 1996

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-02720

| TOWNSHIP | RANGE | SECTION | TRACT | ACRES | COUNTY  |
|----------|-------|---------|-------|-------|---------|
| 08S      | 14E   | 15      | NW SW | 39.0  | GOODING |
| 08S      | 14E   | 15      | SW SW | 38.0  | GOODING |
| 08S      | 14E   | 22      | NW NW | 21.0  | GOODING |

MICROFILMED

DEC 04 1996

# WARRANTY DEED

For Value Received

MICHAEL C. ROLAND and ANNA LEE ROLAND, husband and wife

Hereinafter called the Grantor, her by grants, bargains, sells and conveys unto

FRANK AARDEMA and CORNELIA AARDEMA, husband and wife AND

TOM H. HEIDA and MARY JANE HEIDA, husband and wife

d/b/a AARDEMA-HEIDA DAIRY whose address is: 1646 Boh Barton Highway, Wendell, Idaho 83355

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

Parcel No. 1:

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 15: W $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$

Parcel No. 2:

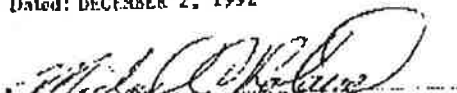
TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

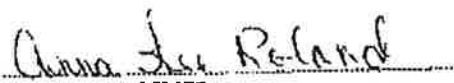
Section 22: NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$

Together with 115.0 shares of North Side Canal Company Water Stock

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: DECEMBER 2, 1992

  
MICHAEL C. ROLAND

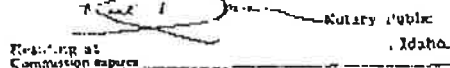
  
ANNA LEE ROLAND

STATE OF IDAHO, COUNTY OF Jerome

On this 2nd day of DECEMBER, 1992,  
Before me, a notary public in and for said State, personally appeared

MICHAEL C. ROLAND and  
ANNA LEE ROLAND

known to me to be the persons whose names are  
subscribed to the within instrument, and acknowledged  
to me that THEY executed the same

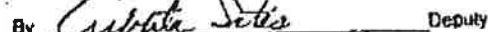
  
Notary Public  
Idaho.

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Land Title & Escrow Inc.

51 min. past 3 o'clock P.M. this 3  
of Dec 1992

JOHN A. MYERS Recorder

By  Deputy

RICK BERNSEN  
★ NOTARY PUBLIC ★  
STATE OF IDAHO  
PERSONAL SERVICE, LAND  
MY COMMISSION EXPIRES JULY 1, 1995

150871

FILED

DEC 04 1996

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

Mailing Address:  
Post Office Box 589  
Buhl, ID 83316-0589  
(208) 543-4368 (telephone)  
(208) 543-4360 (telecopier)

April 19, 1995

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P O Box 2707  
Twin Falls, ID 83301

RECEIVED

JUN 07 1995

Department of Water Resources  
Southern Region

Dear Madam Clerk:

RE: Clark, Roland, Pilkinton to Aardema-Heida  
New Property Owner Notice of Change of Water  
Right Ownership/Consent to Substitution to Party  
Our File No: 2476

Enclosed herein please find the Consent to Substitution of Party for  
Water Rights and New Property Owner Notice of Change of Water Right  
Ownership forms completed for the transfer from:

- (1) Darwin L. and Dianna W. Clark to Frans and Cornelia  
Aardema and Thomas and Mary Jane Heida d/b/a  
Aardema-Heida Dairy
- (2) Michael C. and Annalee Roland to Frans and Cornelia  
Aardema and Thomas and Mary Jane Heida d/b/a  
Aardema-Heida Dairy
- (3) C. R. and E. A. Pilkinton to Frans and Cornelia  
Aardema and Thomas and Mary Jane Heida d/b/a  
Aardema-Heida Dairy

Please enter the documents with the Court.

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js  
Enclosures (6)  
PC: Thomas Heida

MICROFILMED

DEC 04 1996

RECEIVED

JUN 07 1995

Department of Water Resources  
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication of Rights  
to the Use of Water From the Snake River  
Basin Water System.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith  
Higginson in his official capacity as  
Director of the Idaho Department  
of Water Resources,

STANDARD FORM FOR NOTICE  
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF  
PARTY

vs.

The United States; the State of Idaho; and  
all Claimants to the Use of Water From  
the Snake River Basin Water System,

Respondents.

36-02535 - CM  
as 6-1-95

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Frans & Cornelia Aardema and Thomas and Mary Jane Heida

My address is d/b/a Aardema - Heida Dairy  
P. O. Box 140 - Wendell, Idaho 83355-0140

My phone number is: Work (208) 543 2189 Home (208) 543 5189

The name and address of the party who I wish to be substituted for are:

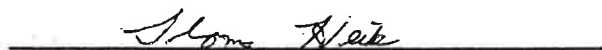
Michael C. and Annalee Roland  
1418 E 3300 S - Wendell, Idaho 83355

I am the new claimant/purchaser of 036-02535 CM and  
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Warranty Deed

  
(Signature of prior claimant/seller)  
Annalee Lee Roland

  
(Signature of new claimant/purchaser)

☒ **ATTORNEY OF RECORD COMPLETING FORM**

My name is Michael Harland Felton

I am the attorney of record for Frans & Cornelia Aardema and Thomas & Mary Jane Heida  
(Identify party/claimant)  
d/b/a Aardema - Heida Dairy

My address and phone number are P. O. Box 589  
Buhl, Idaho 83316  
(208) 543 4368

## INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

*You must sign the Certificate of Mailing to show that you followed these steps.*

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 199\_\_, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

\_\_\_\_\_  
Michael C. and Annalee Roland  
\_\_\_\_\_  
1418 E 3300 S  
\_\_\_\_\_  
Wendell, ID 83355

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Water Right Number - 36-02535

Prefix Translation: WATER RIGHT

Old (D) Number - 30352

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

ROLAND

MICHAEL C

1 - 1418 E 3300 S

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2761

1 - 1418 E 3300 S

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2761

ROLAND

ANNALEE

\*\*\* O - ORIGINAL OWNER \*\*\*

JOHNSON

ROY W

1 -

2 -

3 -

City- WENDELL

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - +  
12/23/1961+ - - Region - - - +  
17 SOUTHERN+ - - Stage - - - +  
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - - +  
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County Diversion Name

08S 14E 15 SE SW SW (47) GOODING

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 04/01 10/31 1.420 392.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
1.420 392.00 294.0+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County  
08S 14E 15 NW SW 39.0 01 IRRIGATION (47) GOODING  
08S 14E 15 SW SW 38.0 01 IRRIGATION (47) GOODING  
08S 14E 22 NW NW 21.0 01 IRRIGATION (47) GOODING

Total Acres: 98.0

+ - - Diversion Means - WELL, 80 HP PUMP, CONCRETE BASIN, 40 HP BOOSTER PUMP, PIPELINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NORTH SIDE CANAL CO.

MICROFILMED  
DEC 04 1996Recommended  
No objections  
filed  
Rec for 98 acrs

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication of Rights  
to the Use of Water From the Snake River  
Basin Water System.

---

The State of Idaho, ex rel. R. Keith  
Higginson in his official capacity as  
Director of the Idaho Department  
of Water Resources,

Petitioner,

vs.

The United States; the State of Idaho; and  
all Claimants to the Use of Water From  
the Snake River Basin Water System,

Respondents.

---

Case No. 39576

STANDARD FORM 3

STANDARD FORM FOR NOTICE  
OF CHANGE IN ADDRESS

OR

CONSENT TO SUBSTITUTION OF  
PARTY

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

☒ CONSENT TO SUBSTITUTION OF PARTY

My name is Frans & Cornelia Aardema and Thomas and Mary Jane Heida

My address is d/b/a Aardema - Heida Dairy  
P. O. Box 140 - Wendell, Idaho 83355-0140

My phone number is: Work (208) 543 2189 Home (208) 543 5189

The name and address of the party who I wish to be substituted for are:

Michael C. and Annalee Roland  
1418 E 3300 S - Wendell, Idaho 83355

I am the new claimant/purchaser of 036-02535 and  
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Warranty Deed

  
(Signature of prior claimant/seller)  
Annalee Lee Roland

  
(Signature of new claimant/purchaser)

☒ ATTORNEY OF RECORD COMPLETING FORM

My name is Michael Harland Felton

I am the attorney of record for Frans & Cornelia Aardema and Thomas & Mary Jane Heida  
(Identify party/claimant)  
d/b/a Aardema - Heida Dairy

My address and phone number are P. O. Box 589  
Buhl, Idaho 83316  
(208) 543 4368

## INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

*You must sign the Certificate of Mailing to show that you followed these steps.*

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 199\_\_\_\_, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

---

---

---

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

---

Michael C. and Annalee Roland

---

1418 E 3300 S

---

Wendell, ID 83355

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

---

---

---

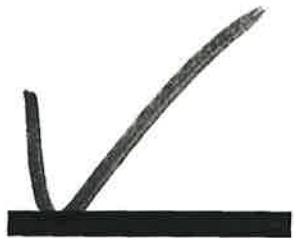
**R PROOF**



**CVR**



**MAPS**



**PHOTOS**



**MISC**

**MICROFILMED**

**DEC 0 6 1996**

**MICROFILMED**

**JAN 2 8 1993**

Water Right Number - R36-02535 Prefix Translation: RESEARCH Old (D) Number - 30352

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

ROLAND MICHAEL C. 1 - 1418 E. 3300 S.  
2 -  
3 -  
City- WENDELL State- ID Zip- 83355  
Phone - 208-536-2761

ROLAND ANNALEE 1 - 1418 E. 3300 S.  
2 -  
3 -  
City- WENDELL State- ID Zip- 83355  
Phone - 208-536-2761

\*\*\* O - ORIGINAL OWNER \*\*\*

JOHNSON ROY W. 1 -  
2 -  
3 -  
City- WENDELL State- ID Zip- 0  
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

12/23/1961 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County

08S 14E 15 SE SW SW (47) GOODING

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 1.420 392.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +

1.420 392.00 294.0

+ - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

08S 14E 15 NW SW 39.0 01 IRRIGATION (47 ) GOODING

08S 14E 15 SW SW 38.0 01 IRRIGATION (47 ) GOODING

08S 14E 22 NW NW 21.0 01 IRRIGATION (47 ) GOODING

Total Acres: 98.0

+ - - Diversion Means - WELL, 80 HP PUMP, CONCRETE BASIN, 40 HP BOOSTER PUMP, PIPELINES

+ - - Non-Irrigation Use -

MICROFILMED  
JAN 28 1993

Water right number - R36-02535

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NORTH SIDE CANAL CO.

+ - - - - - Remarks - - - - -  
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -  
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -  
S17 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM  
- NORTH SIDE CANAL CO. LTD.

+ - - - - Decree Plaintiff - - - +      + - - - - Decree Defendant - - - +      + - Decree Date - +  
00/00/0000

+ - - - - - Comments - - - - -  
No Comments Found

+ - - Audit Fields - - +  
09/18/91 WORSTELL

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

|                      |              |                       |              |                         |         |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing  | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -       |
| Response Filed Date  | - 00/00/0000 | Verified Date         | - 09/18/1991 | Old Judicial District   | -       |
| Claim Received Date  | - 09/19/1988 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - S002264    | Water District          | -       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | -       |

MICROFILMED  
JAN 28 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

02:11:04  
06/30/90

PAGE: 12  
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02535

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 |                            |                        |                     |                                  |                                      |                               |
| POINT OF DIV              | N                 |                                                 |                            | N                      |                     | R.V.W.                           | DB                                   | R.V.W.                        |
| SOURCE                    | Y N               |                                                 |                            | N                      |                     | 9/18/91                          | 10-12-90                             | 9/18/91                       |
| PLACE OF USE              | N                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y N               |                                                 |                            | N                      |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           | N                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PURPOSES                  | N                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PERIOD OF USE             | Y N               |                                                 |                            | N                      |                     |                                  |                                      |                               |
| BASIS OF CLAIM            | N                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| REMARKS                   | N                 |                                                 |                            | N                      |                     |                                  |                                      |                               |

lw 7/23/90

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1  
ASCS MAP = 2  
WATERMASTER RECORDS = 3  
NAPP PHOTOS = 4  
FIELD EXAM = 5  
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION  
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

JAN 28 1993

UNRECORDED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

02:11:04  
06/30/90

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A36-02535

LAST: JOHNSON  
ADDRESS:  
CITY: WENDELL  
PHONE NUMBER: 208-000-0000

FIRST: ROY W.  
STATE: ID ZIP: 0

OWNER CODE: O

LAST: ROLAND  
ADDRESS: 1418 E. 3300 S.  
CITY: WENDELL  
PHONE NUMBER: 208-536-2761

FIRST: MICHAEL C.  
STATE: ID ZIP: 83355

OWNER CODE: C

LAST: ROLAND  
ADDRESS: 1418 E. 3300 S.  
CITY: WENDELL  
PHONE NUMBER: 208-536-2761

FIRST: ANNALEE  
STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE  
N

FIELD  
EXAMINER

MICROFILMED

JAN 28 1993

CONTACT PERSON: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_

DATE OF FIELD EXAM: \_\_\_\_/\_\_\_\_/\_\_\_\_

APPOINTMENT MADE: Y(\_\_\_\_) N(\_\_\_\_)

TIME: \_\_\_\_:\_\_\_\_ A(\_\_\_\_) P(\_\_\_\_)

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MICROFILMED

JAN 28 1993

A. AJ CLAIM: # A36-02535 PRIORITY DATE: 12-23-1961 STAGE: L  
B. WR RECORD: # 36-02535 PRIORITY DATE: 12-23-1961 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE  
N

FIELD  
EXAMINER  
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N(✓)  
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:  
12-23-1961

REVIEWED BY lw

DATE

7/23/90

MICROFILMED  
JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT                            | TWP. | RGE. | SEC. | 1/4                              | 1/4 | 1/4 | LOT | CNTY    |
|----------------------------------|------|------|------|----------------------------------|-----|-----|-----|---------|
| A36-02535                        | 08S  | 14E  | 15   | SE                               | SW  | SW  |     | GOODING |
| OTHER AJ CLAIMS WITH SAME AJ POD |      |      |      | WR RECORDS IN SAME 40 ACRE TRACT |     |     |     |         |
| A PREFIX                         |      |      |      | R PREFIX                         |     |     |     |         |
| A36-11070                        |      |      |      | NONE                             |     |     |     |         |

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT                             | TWP. | RGE. | SEC. | 1/4                             | 1/4 | 1/4 | LOT | CNTY    |
|-----------------------------------|------|------|------|---------------------------------|-----|-----|-----|---------|
| 36-02535                          | 08S  | 14E  | 15   |                                 | SW  | SW  |     | GOODING |
| OTHER WR RECORDS WITH SAME WR POD |      |      |      | AJ CLAIMS IN SAME 40 ACRE TRACT |     |     |     |         |
|                                   |      |      |      | A PREFIX                        |     |     |     |         |
| NONE                              |      |      |      | R PREFIX                        |     |     |     |         |
|                                   |      |      |      | A36-11070                       |     |     |     |         |
|                                   |      |      |      | NONE                            |     |     |     |         |

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)  
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE  
Y  
N

FIELD  
EXAMINER

N

REMARKS:

MICROFILMED  
JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP.  | RGE.  | SEC.  | 1/4   | 1/4   | 1/4   | LOT   | COUNTY |
|-------|-------|-------|-------|-------|-------|-------|--------|
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____  |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____  |

*same as claimed*

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: lw

DATE: 7/23/90

MICROFILMED

JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02535

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                                                      | AJ<br>#/ACRES                                      | WR<br>#/ACRES                | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM<br>ACRES |    |
|-------------|-----|-----|-----|-----|-----|-----------------------------------------------------------|----------------------------------------------------|------------------------------|-----------------|----------------|-----------------|----|
| 08S         | 14E | 22  | NW  | NW  |     | ROLAND , MICHAEL C.<br>ROLAND , ANNALEE<br>LARGE CLAIM    | A36-02535 /21.0<br>A36-11071 /<br>A01-00212Z1/35.0 | 36-02535 /21.0<br>- /<br>- / | 40.0            | 35             | 21              |    |
| 08S         | 14E | 15  | NW  | SW  |     | ROLAND , MICHAEL C.<br>LARGE CLAIM                        | A36-02535 /39.0<br>A01-00212Z1/40.0                | 36-02535 /39.0<br>- /<br>- / | 39.0            | 39             | 39.0            |    |
| 08S         | 14E | 15  | SW  | SW  |     | ROLAND , MICHAEL C.<br>ROLAND , MICHAEL C.<br>LARGE CLAIM | A36-02535 /38.0<br>A36-11070 /<br>A01-00212Z1/40.0 | 36-02535 /38.0<br>- /<br>- / | 39.0            | 33             | 38              |    |
| TOTAL ACRES |     |     |     |     |     |                                                           | A36-02535                                          | 98.00                        | 98.00           | 118.00         | 107             | 98 |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )  
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER  
N

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 98

REVIEWED BY: lu

DATE: 7/23/90

JAN 28 1993

MICROFILMED

A. AJ CLAIMED USES:

PURPOSES  
A36-02535 IRRIGATION

MONTH/DAY  
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY  
1.420 CFS 392.00 AF/A

1.420 CFS 392.00 AF/A

B. WR RECORDED USES:

PURPOSES  
36-02535 IRRIGATION

MONTH/DAY  
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY  
1.420 CFS 392.00 AF/A

1.420 CFS 392.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)  
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)  
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE FIELD  
EXAMINER  
N  
N  
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y( ☒ ) N( ☐ )

RECOMMEND TO WR STANDARDS OR OTHER?

Y( ☐ ) N( ☐ ) Explain in remarks, below.

REMARKS:

MICROFILMED  
JAN 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y( ☒ ) N( ☐ )

AJ TOTAL CLAIMED DIVERSION RATE: 1.420 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.420 CFS

\*\*\* IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. \*\*\*  
\*\* If an amount smaller than the original diversion rate is \*\*  
\*\* claimed and an exam is NOT required, explain in remarks. \*\*

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD  
DATABASE EXAMINER  
Y N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD \_\_\_\_\_, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y( Y ) N( ☐ ) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NORTH SIDE CANAL CO.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM       | SOURCE      | NAME                | DIV. RATE   | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-------------|-------------|---------------------|-------------|----------------|-----------|----------------|
| A36-02535   | GROUNDWATER | ROLAND , MICHAEL C. | 1.420       | 0.014          | 392.00    | 4.00           |
| A01-00212Z1 | LARGE CLAIM | LARGE CLAIM         | 9999999.000 | 415.354        |           |                |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES   | NAME                | MONTH/DAY           | RATE     | VOLUME |
|-----------|------------|---------------------|---------------------|----------|--------|
| A36-11071 | STOCKWATER | ROLAND , ANNALEE    | FROM 01-01 TO 12-31 | .040 CFS |        |
| A36-11070 | DOMESTIC   | ROLAND , MICHAEL C. | FROM 01-01 TO 12-31 | .040 CFS |        |
| A36-11070 | STOCKWATER | ROLAND , MICHAEL C. | FROM 01-01 TO 12-31 | .070 CFS |        |

MICROFILMED

JAN 28 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 98 x 0.02 CFS/ACRE = 1.96 CFS  
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y( ) N(☒)

\*\*\* IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( ) \*\*\*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 294.0 AF/A

ACRES 98 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =  
TOTAL CONSUMPTIVE USE 294 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 392.00 AF/A

ACRES 98 x DIVERSION VOL. AF/A FOR AREA 4 =  
TOTAL DIVERSION VOLUME 392 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

acres limited to .1" per acre when this right  
is combined with canal shares

MICROFILMED

JAN 28 1993

## RECOMMENDATIONS:

| REC.<br>PURPOSES     | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS                | REC. DIV<br>VOL. AF/A                | REC. CONS.<br>USE                   |
|----------------------|------------------------|-------------------------------------|--------------------------------------|-------------------------------------|
| IRRIGATION           | 03-15 11-15            | DATABASE 1.420<br>EXAMINER <u>✓</u> | DATABASE 392.00<br>EXAMINER <u>✓</u> | DATABASE 294.0<br>EXAMINER <u>✓</u> |
| TOTAL FOR THIS RIGHT |                        | 1.420                               | 392.00                               | 294.0                               |

REVIEWED BY: lwDATE: 7/23/90

MICROFILMED

JAN 28 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

| ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------|-----------------|
| ( )                    | ( )             |
| ( <u>N/A</u> )         | ( )             |
| ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02535

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
1.420

EXAMINER  
N/A

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A36-02535                | 1.420             | -                         |                  | 36-02535            | 1.420             |
| TOTAL CFS            |                          | 1.420             |                           |                  |                     | 1.420             |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, is the written review sheet attached? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER  
N/A

REMARKS:

AUTHENTICATION:

SIGNATURE: Loi White

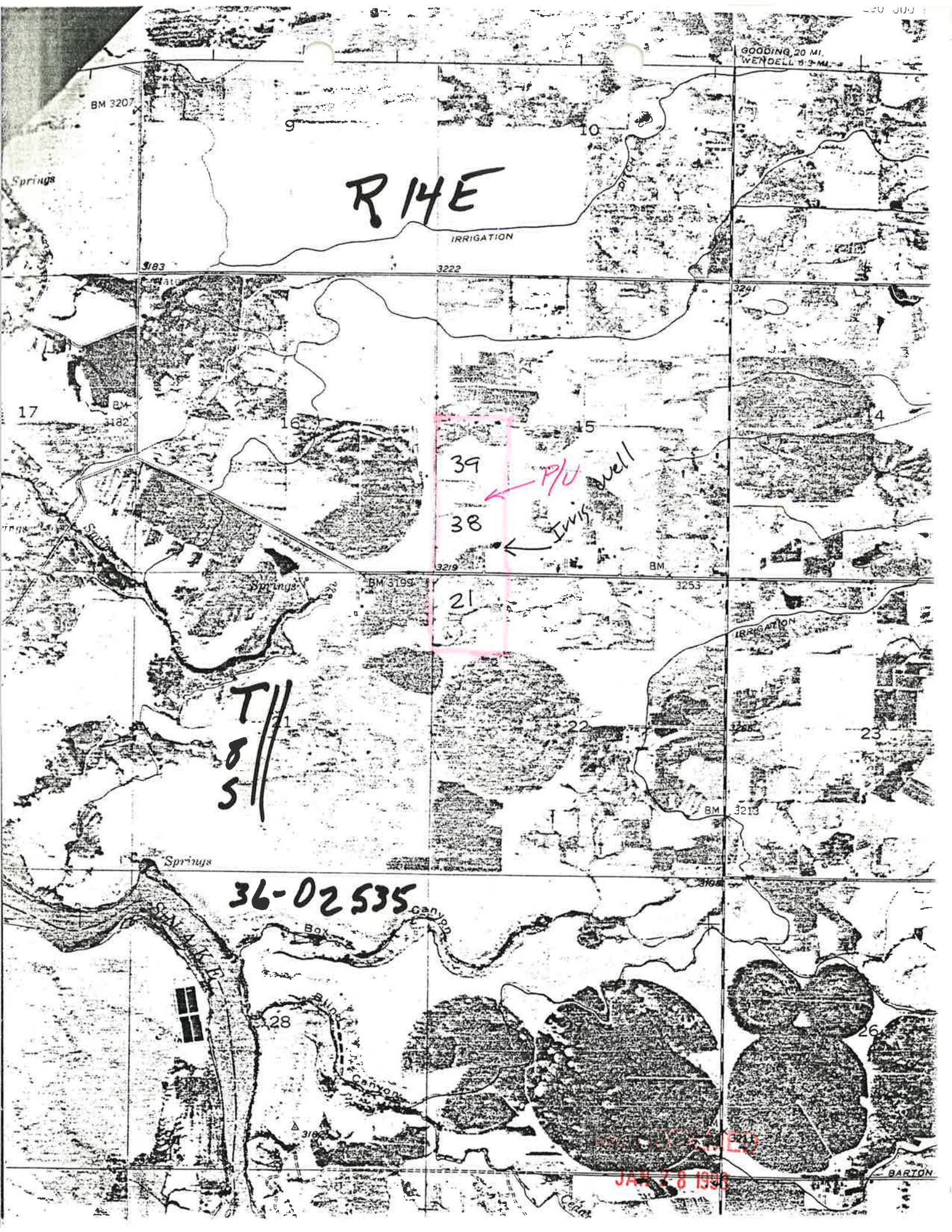
DATE: 2/23/90

NAME OF FIELD EXAMINER: \_\_\_\_\_

TITLE: \_\_\_\_\_

MICROFILMED

JAN 28 1993



GOODING 20 MI.  
WENDELL 13 MI.

R14E

IRRIGATION

3183

3222

3241

17

BM 3182

16

39

P/U well  
Iris well

38

3219

BM

21

3253

T8S

22

23

BM 3213

36-02535

Sagehen Canyon

Box Canyon

3182

328

3182

26

RECEIVED

JAN 28 1953

BARTON